IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 3630 of 2004(F)

PETITIONERS:
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1. M.KRISHNANKUTY NAIR, KORIYOTY HOUSE (VASANTH) EAST ADICHILY, KUNNAPPILLY P.O., VIA. CHALAKKUDY, THRISSUR

2. V.A.OUSEPH VALLURAN, MANJAPRA P.O., AYYAMPUZHA, ERNAKULAM.

3. T.P.PAPPU, THEKKAN HOUSE, MANJAPRA P.O., KALADY VIA., ERNAKULAM

4. N.S.SUKUMARAN, NAMBUVARATHIL VEEDU, KUNNAPPILLY P.O., ADICHILY.

5. P.N.NATARAJAN, KALLALA ESTASTE, DIVISION G, KALADI PLANTATIONS, ERNAKULAM.

6. K.P.JOSE, KURIAKKU HOUSE, PARAPPURAM P.O., VIA. KANJOOR, KALADY, ERNAKULAM.

7. K.N.PURUSHOTHAMAN ACHARI, KOLLANPARAMBIL VEEDU, KALAVOOR P.O., KUDATHANKU, QUILON

8. K.O.VARGHESE, KILUKKAN HOUSE, KALADY PLANTATION P.O., ALWAYE.

9. K.A.CHERIAN, KODIYAPPADAN HOUSE, DIVISION A., VETTILAPARA ESTATE, KALADY PLANTATION P.O., ERNAKULAM.

10. M.SOMASUNDARAN, NADUVILE HOUSE, ANGADICKAL NORTH P.O.

11. K.G.RAJAMMA, MADATHILAYYATHU, AICKADU, KODUMON P.O.

BY ADV. SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU

WP(C) NO: 3630/2004

RESPONDENTS:
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1. PLANTATION CORPORATION OF KERALA LTD., KOTTAYAM 686 004, REPRESENTED BY ITS MANAGING DIRECTOR.

2. THE DISTRICT LABOUR OFFICER, ERNAKULAM (CONTROLLING AUTHORITY UNDER THE PAYMENT OF GRATUITY ACT, 1972)

3. THE DISTRICT LABOUR OFFICER, PATHANAMTHITTA (CONTROLLING AUTHORITY UNDER THE PAYMENT OF GRATUITY ACT 1972)

BY ADV. SRI.JOSEPH MARKOSE, SC FOR R1
GOVT. PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 3630/2004 F

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER DT.1/09/03 BY THE R2.

EXT.P2. COPY OF THE ORDER DT. 22/09/03 BY THE R3.

EXT.P3. COPY OF THE ORDER DT. 22/09/03 BY THE R3.

EXT.P4. COPY OF THE DECISION REPORTED IN 1984 LAB. IC 1703 OF THE BOMBAY HIGH COURT.

EXT.P5. COPY OF THE DECISION REPORTED IN 1982(2) KLT 324 OF THE CALCUTTA HIGH COURT.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.3630 of 2004

Dated 4th July, 2007.

J U D G M E N T

The issue raised in this writ petition regarding claim for gratuity is covered against the petitioners by the decision of this Court in **Sivaraman Nair v. The Plantation Corporation of Kerala Ltd.** (2005(1) KLT 1). The writ petition is hence dismissed.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.